

Chapter 527
Public Comments
June 2008

Comment	Comment Originator	VDOT Response to Comment
Sound Barrier Design: VDOT can make recommendations regarding sound barrier design parameters to developers who opt to build sound barriers as part of their development <ul style="list-style-type: none"> • Would eliminate the need for VDOT to demolish an existing sound barrier 	Environmental professional	A note regarding this shall be incorporated into the Guidelines document.
“Toll”: Do not understand the use and meaning of the word "toll" in paragraph 24 VA 30-155-40(D); the word requires further explanation	Traffic engineer	“Toll” is the word used in the statute—but an explanation of the meaning shall be included in the Guidelines document.
Revised guidelines for internal capture: <ul style="list-style-type: none"> • While the new guidelines allow for a reduction equal to 15% of the smaller component, they do NOT allow for the equivalent number of trips to be reduced from the other component. • VDOT has not communicated an explanation for this reduction • This is a drastic change from the previous policy; the guidelines should be changed to at least match the previous policy • In our experience, even the previously allowable internal capture rates often significantly underestimated the actual internal capture that would occur at built out sites 	Traffic engineer	This is not a change from the existing TIA regulations. Internal capture figures in the regulation are “by right” and additional reductions in internal capture and pass by are allowed with sufficient justification. The intent of this section was to provide conservative estimates of trip reductions as a base—the rates used in specific studies can be adjusted based upon agreement in a scoping meeting or the results of supporting studies.

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<p>Pleased that this effort is advancing</p> <ol style="list-style-type: none"> 1. Definition of “node”: <ul style="list-style-type: none"> • The limitation on the use of a stub out, which is being deleted, is needed • If it does not or will not provide service, it is illegitimate • It suggests that VDOT is trying to be sensitive to future developments • Without more clarity on the intent, it seems best to drop all references to stub outs. 2. Travel Demand Model Assumptions – <ul style="list-style-type: none"> • Does this section include travel demand model assumptions? • Will the assumptions and projections be consistent with the local MPO? • This may only make sense for larger developments, but that can be indicated on the TIS Requirements table on page 19 3. Format Issue for Emphasis – <ul style="list-style-type: none"> • Consider underling the words: "For purposes . . . section . . . proposals shall be assumed to substantially affect transportation . . ." 4. Timing of Public Comment – <ul style="list-style-type: none"> • At the end of the sentence "VDOT shall also make such comments available to the public.", add the words: “prior to the scheduled Planning Commission hearing on the proposal.” 	<p>Environmental group</p>	<p>Node and link definition changes and addition of separate stub out definition were based upon another draft regulation (Secondary Streets Acceptance Requirements) and are intended to make the regulations consistent with each other.</p> <p>There were no changes from existing regulatory language for travel demand model assumptions.</p> <p>We shall review the language dealing with travel demand models that is included in the Guidelines document to determine if further explanatory material is required.</p> <p>The statutory requirement is for the decisions to be transmitted to the locality prior to the locality taking final action (generally board of supervisors).</p>

<p>5. Scope of Work Meeting –</p> <ul style="list-style-type: none"> At the end of the last paragraph, add: “The proceedings of such meetings shall be recorded, either by audiotape or by recorded notes of the primary materials and discussion, and the records of these meeting shall be made available to the public within 10 business days of the meeting.” <p>6. Consistency with MPO Analysis/Data -</p> <ul style="list-style-type: none"> Should the key elements of the analysis (e.g. peak hour traffic volumes, intersection analysis, LOS estimates) be provided by the MPO (the locality is not likely to want analysis that is inconsistent with other regional traffic values) <p>7. Traffic Engineering Study Requirement –</p> <ul style="list-style-type: none"> For the elements "Speed study, Crash history and Sight distance", change to "Required" for proposals having over 1000 vehicle trips <p>8. Internal Capture Trips –</p> <ul style="list-style-type: none"> The method given is prescriptive, regardless of the mix of uses or the degree of TDM measures being planned. The locality or applicant should propose a method of estimation at the Scope of Work meeting and the final method should be fully described publicly. <p>9. Background Traffic Growth –</p> <ul style="list-style-type: none"> If an MPO has the related information, this should take precedence. <p>10. Bike and Pedestrian Trips –</p> <ul style="list-style-type: none"> Placing a limit of 500 trips per peak hour is arbitrary; it does not consider the size of the proposal. Suggest letting the locality provide reduction estimates and describe their method of estimation 		<p>Scope of work meeting forms are to be included in the documents available to the public (through LandTrack).</p> <p>MPO analysis may or may not be more accurate due to the size of zones utilized—a specific sub-area study tends to provide more accurate results.</p> <p>No change is proposed with regards to these elements in the regulation. VDOT retains the flexibility to request these elements if appropriate.</p> <p>Alternative internal capture and TDM methodologies can currently be considered in the scope of work meeting or may be utilized if sufficient acceptable justification is provided by the submitter.</p> <p>No change is proposed with regards to this issue. The trip limitation and methodology can be adjusted based upon results of a scoping meeting or may be utilized if sufficient acceptable justification is provided by the submitter.</p>
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<p>1. Grandfathering -</p> <ul style="list-style-type: none"> • In many cases, required road improvements were proffered by the development in accordance with approved TIA (the locality would not gain any additional road improvements with a revised TIA). • In these cases, the locality has made a land use decision and the process should move forward in accordance with applicable local ordinances. <p>2. Rezoning and Subdivisions Plans –</p> <ul style="list-style-type: none"> • Suggest modifications to exclude proposals from TIA consideration when a development ties into a stub-out or adjacent development which was designed and constructed to handle additional traffic. • By excluding such developments from a 527 TIA would promote connectivity and avoid undue traffic analysis. • The requirement of a 527 TIA in such cases may make connectivity more difficult. <p>3. Supplemental Traffic Analysis –</p> <ul style="list-style-type: none"> • Suggest deleting the "after 2002" timeframe from the corrected regulation. • Recommend "grandfathering" studies before and after 2002. • New "advisory" studies to address today's impact may result in undue delay in the plan review process 	<p>County government</p>	<p>Statutory provision calls for review of projects at this phase of work, regardless of previous decisions. Please also note that this information may be used to provide data to VDOT, citizens, and the local government to assist in making future land use or transportation decisions.</p> <p>An element of this recommendation will be considered for inclusion in the next update of the TIA regulations in the sections dealing with low volume road thresholds.</p> <p>Studies older than 6 years frequently require updating as conditions have changed and assumptions are no longer correct.</p>

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“Toll” - Add explanatory language to better explain the definition and usage of the term “toll”	County government	Used language in statute. Will provide explanatory language in Guidelines document.
<p>Vehicle Trips Per Day - Clarification –</p> <ul style="list-style-type: none"> • Within the section reading “any roadway on which 50 or more of the new vehicle trips generated by the proposal are distributed” – does this “50” refer to a numerical count or a percentage? • If it is a count of 50, it should be clarified that it is “50 peak hour new vehicle trips”, if this is the intent, so it is not confused with “50 new daily trips” 	Traffic Engineer	Will clarify in regulation and Guidelines.

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<ol style="list-style-type: none"> 1. Timelines for TIA Response – <ul style="list-style-type: none"> • Timelines for responding to a TIA can conflict with state statutory mandates for subdivision/site plan approval • Suggest reducing the maximum timeframe in which VDOT is to provide a response 2. VDOT response times for a Special Exception application (e.g. “zoning proposal”) can be too long <ul style="list-style-type: none"> • Loudoun provides for a shorter processing timeline for Special Exceptions; as a result, VDOT comments are sometimes not received until the application is at the Public Hearing period 3. VDOT specific timeframe can be a problem when TIAs are defective or incomplete <ul style="list-style-type: none"> • VDOT has reserved the right to take the full response time, indicate the TIA is not adequate, and require a resubmission, with a new timeline taking effect upon resubmission • This can greatly extend the timeframe of actual • comments based on the substance of the TIA • Suggest that additional regulations be implemented which create tighter timeline provisions • These regulations should stipulate that VDOT must respond within 15 days as to whether the TIA has been prepared according to their standards (a lack of response within this timeframe would indicate the TIA is sufficient) 	County government	<p>Tolling language is in place in the statute due to this issue.</p> <p>Statutory requirement is for comments to be received prior to locality taking final action. If the locality needs comments prior to the deadlines set out in the statute, can request more rapid response. VDOT’s actual response time is controlled by statute and staff workload, however.</p>

<p>4. Chapter 527 has the potential to lengthen Site Plan review for economic development</p> <ul style="list-style-type: none"> • Suggest the opportunity for VDOT to provide “waivers” from these regulations for site development plans that will be subject to the jurisdiction’s expedited review process <p>5. Chapter 527 regulations should be more directly related to transportation improvements which may be required from developers</p> <ul style="list-style-type: none"> • Because 527 carries no regulatory weight or impact, it cannot be used to require a developer to construct additional improvements to mitigate the impacts of by-right development • Therefore, the benefit of the regulations is minimal at best <p>6. VDOT should make the 527 regulations more useful for expanding the transportation infrastructure</p> <ul style="list-style-type: none"> • Request that VDOT permit the governing body to request an “exemption” from the regulations • Criteria for determining a jurisdiction’s qualifications to be exempted could be based on the jurisdiction’s size, development activity, traffic information already required by the jurisdiction’s development regulations, and local transportation staff which are already dedicated to these issues 		<p>Statutory requirement is for VDOT to review all proposals that would have a “significant impact” on state controlled highways.</p> <p>This is a statutory limitation based upon the underlying Code. Please also note that this information may be used to provide data to VDOT, citizens, and the local government to assist in making future land use or transportation decisions.</p> <p>Statutory requirement is for VDOT to review all proposals that would have a “significant impact” on state controlled highways.</p>
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